

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

COACH, INC.

Plaintiff,

vs.

RAJA D. QUINN, d/b/a Wholesale Outlet
also known as Raja Dejour Fashions &
Fawaz Mumtaz Retail Outlet

Defendant.

8:16CV338

**FINDING AND
RECOMMENDATION**

Defendant Quinn failed to cooperate in completing the parties' Rule 26(f) Report. He then failed to appear at a telephonic hearing set to discuss the case progression schedule, (Filing Nos. 23-25), and he provided no explanation for his absence.

On October 17, 2016, the court set a hearing was set to held in Courtroom 5 of the Omaha courthouse at 2:00 p.m. on November 2, 2016. The hearing notice warned that "failure to attend the conference on November 2, 2016 will result in entry of a default and/or a default judgment against [Defendant Quinn] for failure to defend or prosecute this case and for failing to comply with the court's orders." (Filing No. 27).

Plaintiff's counsel appeared at the November 2, 2016 hearing: Defendant Quinn did not. A month has passed since the notice of hearing was mailed to Defendant Quinn. The mailing was not returned and Defendant has not contacted the court to explain his absence at the November hearing.

IT IS RECOMMENDED to the Honorable John M. Gerrard, United States District Judge, pursuant to 28 U.S.C. § 636(b), that a default be entered against Defendant Quinn without further notice.

The parties are notified that failing to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of the recommendation.

November 17, 2016.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge